### Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 2 of 21

U.S. Department of Justice



Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266 Washington, D.C. 20530 (202) 514-3365

FEB 2 8 2018

Sonny Austin Ramdeo Reg. No.: 80568-053 FCI Coleman Federal Correctional Institution P.O. Box 1031 Coleman, FL 33521

Re:

OPR FOIA No. F18-00077

Dear Mr. Ramdeo:

This is to acknowledge receipt of your February 6, 2018 Freedom of Information Act/Privacy Act request seeking records pertaining to your complaint. OPR received your letter on February 27, 2018 and has assigned your request number F18-00077. Please refer to that number in any correspondence pertaining to this matter.

Before OPR can respond to your request, you must verify your identity as required by Department regulation 28 C.F.R. §16.41(d) (2016). This verification is required to protect your privacy and to ensure that information about you is not disclosed inappropriately to someone else. Your request does not contain all the required information. A Certification of Identity, which may be used for this purpose is enclosed.

If you would like OPR to process your request and search for responsive records, you must either: (1) return a completed Certification of Identity form to OPR, or (2) provide a statement notarized or under penalty of perjury pursuant to 28 U.S.C. § 1746, that states your full name, place of birth, date of birth, and current address. Please complete and submit this form within 30 days of the date of this letter. If OPR does not receive your form within this timeframe, your request will be closed administratively.

Sincerely,

Lyn Hardy

Special Counsel

for Freedom of Information & Privacy Acts

Enclosure

#### Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 4 of 21

U.S. Department of Justice

#### Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266 Washington, D.C. 20530 (202) 514-3365

APR 0 2 2018

Sonny Austin Ramdeo Reg. No.: 80568-053 FCI Coleman Federal Correctional Institution P.O. Box 1031 Coleman, FL 33521

Re:

OPR FOIA No. F18-00077

Dear Mr. Ramdeo:

4 1 4 3

This letter responds to your February 6, 2018 Freedom of Information Act/Privacy Act request seeking records pertaining to your complaint. OPR received your letter on February 27, 2018 and your completed Certification of Identity form on March 20, 2018. Your request has assigned your request number F18-00077. Please refer to that number in any correspondence pertaining to this matter.

Because you are seeking records pertaining to Federal Bureau of Prisons employees stemming from your complaint, I have decided to neither confirm nor deny the existence of such records pursuant to Exemptions 6 and 7(C) of the FOIA, 5 U.S.C. § 552(b)(6), (7)(C). Even to acknowledge the existence of law enforcement records on another individual would constitute a clearly unwarranted invasion of personal privacy and could reasonably be expected to constitute an unwarranted invasion of personal privacy. This is our standard response to such requests and should not be taken to indicate that records do, or do not, exist.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification given to all our requesters and should not be taken to indicate that excluded records do, or do not, exist.

If you have a question, you may contact OPR's FOIA Public Liaison at the telephone number and address listed above. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

#### Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 5 of 21

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, Suite 11050, 1425 New York Avenue, N.W., Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <a href="https://foiaonline.regulations.gov/foia/action/public/home">https://foiaonline.regulations.gov/foia/action/public/home</a>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you are dissatisfied with the result of any appeal you make, judicial review may thereafter be available to you in the United States district court for the judicial district in which you reside, or in which you have your principal place of business, or in the District of Columbia.

Sincerely,

Lyn Hardy

Special Counsel

for Freedom of Information & Privacy Acts

SONNY A. RAMDEO
Reg # 80568-053
LSCI Allenwood
P. O. Box 1000
White Deer, PA 17887

May 5, 2018

U. S. Department of Justice Office of Professional Responsibility Attn: Lyn Hardy Special Counsel 950 Pennsylvania, N.W., Suite 3266 Washington, D.C. 20530

> Re: OPR FOIA F18-00077 Letter dated April 02, 2018

Dear Ms. Hardy:

I am in receipt of your reply correspondence dated April 2, 2018 on May 4, 2018 regarding my February 6, 2018 request (FOIA/PA).

In your reply correspondence you indicate I am seeking records pertaining to Federal Bureau of Prisons employees stemming from my complaint and you cannot confirm or deny the existence of such records. In support, you claim Exemptions 552(6)(b) and 552(7)(c).

First, the Federal Bureau of Prisons is not a law enforcement or national security component to which such an exemption would apply. Second, I am not seeking records of Federal Bureau of Prisons employees, I am seeking records relating to me and other information in your records that relate to the complaint and me.

It is unclear if you are denying in whole or in part my records sought. In reviewing my request, if documents are denied in whole or in part, please specifiy which exemptions is/are claimed for each passage or whole document denied. Give the number of pages pertaining to this request and the dates documents withheld. I am also making a request for any reasonable segregable portions of my records. I indend to appeal any denials.

#### Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 8 of 21

Letter to OPR - Lyn Hardy Page 2

Please review my request again and provide the requested information or those parts which are reasonable segregable. Please also provide a Vaughn Index as well.

Should you have any further questions, or require any additional information please do not hesitate to contact me at the address indicated on Page 1.

Respectfully,

Sonny Austin Ramdeo

#### Schedule A

FOTA Request - Self -- Sonny Ramdeo, Reg # 80568-053

From the files of FCI Coleman Low, the following records are being sought:

- (1) copy of any investigatory reports (SIS, Warden, or other department) including any handwritten notes and final drafts whether kept electronically or on paper;
- (2) reports of evidentiary and/or scientific information, findings, and conclusions;
- (3) copy of unredacted Form 409 Transfer of Inmate/Redesignation;
- (4) copy of three BP8 submitted to Unit Manager Marcel Ramos on or about March 7, 2018 and not delivered to the inmate
- (5) copy of Warden's authorization for an exception review on or about January 30, 2018;
- (6) any and all correspondence from Coleman Low to other agencies within the Bureau of Prisons whether by email or paper regarding Sonny Ramdeo between November 1, 2017 through June 30, 2018;
- (7) copy of the Inmate Activity Report from SENTRY for the period January 1, 2018 through May 1, 2018;
- (8) copy of inmate requests submitted to the institution's Warden Office, Lieutenant's, Deputy Captain and Special Housing Unit for the period & Jan. 3, 2018 through March 25, 2018;
- (9) copies of inmate requests submitted to J. Rittenhouse, SIS Supervisor
- (10) copies of all records in TRUINTEL regarding Sonny Ramdeo;
- (11) copies of any correspondence to the Regional Office regarding negligence, and staff misconduct including the Office of Professional Responsibility, Office of Inspector regarding Sonny Ramdeo or related to Sonny Ramdeo;
- (12) all other information, data, and reports not listed above and otherwise made between December 1, 2017 through May 1, 2018.
- (3) copy of property receipt prepared by Officer & Solow, BI Unit Office Coleman Low on Jan 3, 2018.
- 14. copy of the property receipt provided to the SHU Officer by B. Solow.
- 15. copy of Ramdeo's custody level/security designation points from SENTRY

#### Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 12 of 21

U.S. Department of Justice

Federal Bureau of Prisons

Northeast Regional Office 2nd & Chestnut St., 7th Floor Philadelphia, PA 19106

June 25, 2018

Sonny Ramdeo, Register Number 80568-053 LSCI Allenwood PO Box 1000 White Deer, PA 17887

Dear Mr. Ramdeo:

The Federal Bureau of Prisons (BOP) received your Freedom of Information Act/Privacy Act (FOIA/PA) request. Your request has been assigned a number and forwarded to the processing office noted below. Please make a note of the request number and processing office as you will need to include it in any correspondence or inquiry regarding your request. A copy of the first page of your request is attached to help you more easily keep track of your request.

FOIA/PA Request Number:

2018-05627

Processing Office:

**NER** 

The time needed to complete our processing of your request depends on the complexity of our records search and the volume and complexity of any records located. Each request is assigned to one of three tracks: simple, complex, or expedited. Due to the large number of FOIA/PA requests received by BOP and the limited resources available to process such requests, BOP handles each request on a first-in, first-out basis in relation to other requests in the same track. Your request was assigned to the complex track and placed in chronological order based on the date of receipt.

We determined unusual circumstances exist as the documents responsive to your request must be searched for and collected from a field office, and/or the documents responsive to your request are expected to be voluminous and will require significant time to review, and/or your request requires consultation with at least one other agency with a substantial interest in your request. Because of these unusual circumstances, we are extending the time limit to respond to your request for the ten additional days provided by the statute. Processing complex requests may take up to nine months. Pursuant to 28 C.F.R. § 16.5(b) and (c), you may narrow or modify your request in an effort to reduce the processing time.

Pursuant to 28 C.F.R. § 16.10, in certain circumstances we are required to charge fees for time spent searching for or duplicating responsive documents. If we anticipate your fees will be in excess of \$25.00 or the amount you have indicated you are willing to pay, we will notify you of the estimated amount. At that time, you will have the option to reformulate your request to reduce the fees. If you requested a fee waiver, we will make

Request Number 2018-05627 Page Two

a decision whether to grant your request after we determine whether fees will be assessed for this request.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, please feel free to contact the NER at 215-521-7391 or the Federal Bureau of Prisons' (BOP) FOIA Public Liaison, Mr. C. Darnell Stroble at 202-616-7750 or 320 First Street NW, Suite 936, Washington DC 20534.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information, Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

Joyce M. Horikawa

Deputy Regional Counsel

#### Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 15 of 21



U.S. Department of Justice

Federal Bureau of Prisons

Northeast Regional Office 2nd & Chestnut St., 7th Floor Philadelphia, PA 19106 215-521-7391

July 31, 2018

Mahmoud Aguibi, Reg. No. 73953-066 LSCI Allenwood P.O. Box 1000 White Deer, PA 17887

Dear Mr. Aguibi

The Federal Bureau of Prisons (BOP) received your Freedom of Information Act/Privacy Act (FOIA/PA) request. Your request has been assigned a number and forwarded to the processing office noted below. Please make a note of the request number and processing office as you will need to include it in any correspondence or inquiry regarding your request. A copy of the first page of your request is attached to help you more easily keep track of your request.

FOIA/PA Request Number:

2018-06423

Mahmoud Aguibi, Reg. No. 73953-066

Processing Office:

NER

The time needed to complete our processing of your request depends on the complexity of our records search and the volume and complexity of any records located. Each request is assigned to one of three tracks: simple, complex, or expedited. Due to the large number of FOIA/PA requests received by BOP and the limited resources available to process such requests, BOP handles each request on a first-in, first-out basis in relation to other requests in the same track. Your request was assigned to the complex track and placed in chronological order based on the date of receipt.

We determined unusual circumstances exist as the documents responsive to your request must be searched for and collected from a field office, and/or the documents responsive to your request are expected to be voluminous and will require significant time to review, and/or your request requires consultation with at least one other agency with a substantial interest in your request. Because of these unusual circumstances, we are extending the time limit to respond to your request for the ten additional days provided by the statute. Processing complex requests may take up to nine months. Pursuant to 28 C.F.R. § 16.5(b) and (c), you may narrow or modify your request in an effort to reduce the processing time.

Pursuant to 28 C.F.R. § 16.10, in certain circumstances we are required to charge fees for time spent searching for or duplicating responsive documents. If we anticipate your

FOIA Request No. 2018-06423 Mahmoud Aguibi, Reg. No. 73953-066 Page Two

fees will be in excess of \$25.00 or the amount you have indicated you are willing to pay, we will notify you of the estimated amount. At that time, you will have the option to reformulate your request to reduce the fees. If you requested a fee waiver, we will make a decision whether to grant your request after we determine whether fees will be assessed for this request.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, please feel free to contact the NER at 215-521-7391 or the Federal Bureau of Prisons' (BOP) FOIA Public Liaison, Mr. C. Darnell Stroble at 202-616-7750 or 320 First Street NW, Suite 936, Washington DC 20534.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information, Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

Lee-Ann Eichensehr FOIA Processor Case 1:19-cv-00114-UNA Document 1-1 Filed 01/11/19 Page 17 of 21

Received

## FREEDOM OF INFORMATION ACT REQUESTS 0 2018

To: Federal Bureau of Prisons

FOTA/PA Request

320 First Street, N.W.

Washington, D.C. 20534

Date:3/21

FOIA/PA Section

Federal Bureau of Prisons cords of: Mahmoud Aguibi, Reg # Records of:

73953-066/ e-Designate

This is a noncommercial request under the Freedom of Information Act as amended, in conjunction with the Privacy Act, 5 U.S.C. §552a. I understand that I am entitled to at least 100 pages of free copying and a maximum of two (2) hours of free research time.

I request a complete and thorough search of all filings systems and locations for all my records maintained by your agency including all documents and where appropriate "main" files and "see references." I wish to make it clear that I am requesting "all" records identifiable with my request.

Specifically, the records sought are: I am requesting a copy of my USM 129 Form from eDesignate.

If documents are denied in whole or in part, please specify which exemptions is/are claimed for each passage or whole document denied. Give the number of pages pertaining to this request and the dates documents withheld. I am also making a request for any reasonable segregable portion of my records.

I expect a response to this request within ten (10) working days as provided by \$552(a) (6)(A)(i). I expect to appeal any denials. Therefore, please specify the office and address to which an appeal letter should be directed.

Respectfully submitted,

Requestor Name: Mahmoud Aguibi Red #73953-066 Address: LSCI Allenwood, Po Box 1000

City, Stare, Zip White Deer, PA 17887

### DECLARATION

I swear and affirm under penalty of perjury that I am, Mahmoud Aquibi. , Date of Birth | 03/14/1989 . This declaration is submitted in lieu of my notarized signature pursuant to Title 28 U.S.C. \$1746. I bereby certify that I am the person named above and I understand that any falsification of this statement is punishable under the provisions of Title 18 U.S.C. \$1001.

07-21-18

As a result of my substantial lack of adequate monetary funds as a prisoner, I ask that a substantial reduction of applicable fee(s) be considered and affixed. Upon notice of the necessary and reasonable fee(s) for fulfilling my request, the required fee will be remitted to your agency promptly.



# U.S. Department of Justice Federal Bureau of Prisons

Northeast Regional Office 2nd & Chestnut St., 7th Floor Philadelphia, PA 19106

September 5, 2018

Sonny Ramdeo, Reg. No. 80568-053 LSCI allenwood PO Box 1000 White Deer, PA 17887

Re: FOIA Request Number 2018-05627

Dear Ramdeo:

This is in response to your request for a status update concerning the above referenced Freedom of Information Act (FOIA) request.

At this time, we are reviewing records to determine if they are responsive to your request. As stated in the acknowledgment letter of 25 June 2018, processing complex requests may take up to nine months. Pursuant to 28 C.F.R. § 16.5(b) and (c), you may narrow or modify your request in an effort to reduce the processing time. We will attempt to complete your FOIA request as soon as practicable.

If you have any additional questions, please feel free to contact this office.

Sincerely,

Ondreya Barksdale Paralegal Specialist

Aund follow up Ochther 3, 2018

December 3, 2018

Department of Justice Officer of Information Policy

Washington, D.C. 20530

Re: Federal Bureau of Prisons - FOIA/PA Request No. 2018-05627/ NER FOIA Appeal

Dear Sir/Madam:

I am appealing the improper delay tactic and withholding of information that is responsive to my Freedom of Information Act request referenced above. The Federal Bureau of Prisons is intentionally failing to comply with the 20 requirement for disclosure.

Moreover, there is nothing complicated about my request warranting 9 months time period to process. Indeed, others have requested information from a local prison facility consisting of one single page, and they have received the same 9 month waiting letter; that the request is complicated.

The Federal Bureau of Prisons Northeast Regional Office is in clear violation by withholding and or delaying the response to my FOIA request.

Please promptly address this matter.

govern yourself accordingly,

Sonny Ramdeo Reg # 80568-053 LSCI Allenwood P O Box 1000 White Deer; PA 17887